291-12014

RESOLUTION: Oppose Senate Bill 349 and Companion Assembly Bill 476

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, Senate Bill 349 and companion Assembly Bill 476 have been introduced in the State Legislature with regard to non-metallic mining sites; and

WHEREAS, these Bills attempt to create uniform standards state-wide for non-metallic mining sites as a result of frac sand mining; and

WHEREAS, said Bills shall limit local control over non-metallic mining sites throughout the State of Wisconsin, including sites in Winnebago County; and

WHEREAS, under present existing State laws, local governments are allowed sufficient oversight over non-metallic mining sites; and

WHEREAS, under present law, counties are able to manage non-metallic mining sites via conditional use permits, which allow control of hours of operation, truck traffic, air and water quality standards, blasting schedules, etc. The pending legislation would only allow counties to issue a one-time permit without imposing conditions and without the ability to address any expansions onto contiguous areas of non-conforming, non-metallic mining sites; and

WHEREAS, the proposed Bills would cause difficulty in planning for existing and future land uses relative to the comprehensive planning law by allowing non-metallic mining sites to expand without regard to communities' long-range land use plans, causing potentially significant land use conflicts, particularly in relationship to residential development.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its opposition to Senate Bill 349 and Assembly Bill 476.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this Resolution to all legislators within the State Legislature who represent Winnebago County constituents, to the Wisconsin Counties Association, and to the Office of Governor Scott Walker.

Respectfully submitted by:

PLANNING AND ZONING COMMITTEE

Committee Vote: **4-0**

Respectfully submitted by:

LEGISLATIVE COMMITTEE

Committee Vote: **14-0**

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this ____ day of _____, 2013.

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Mark L Harris
Winnebago County Executive